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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/759,467

01/15/2004

Frederick Enns

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03/22/2005

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EXAMINER

PHAN, THO GIA

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

A

<b>Office Action Summary</b>	<b>Application No.</b> 10/759,467	<b>Applicant(s)</b> ENNS, FREDERICK	
	<b>Examiner</b> Tho G. Phan	<b>Art Unit</b> 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED' (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 January 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 and 39-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-18 and 20-24 is/are allowed.
- 6) ☒ Claim(s) 1,3 and 39-41 is/are rejected.
- 7) ☒ Claim(s) 2,19 and 42-44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/15/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Claims 19 and 41 are objected to because of the following informalities:  
  
In claim 19, line 1, "features" should be changed to —elements— (see claim 18, line 2).  
  
In claim 41, line 1, "a" should be changed to —the--.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang et al (6,853,353).

Wang et al in figures 2-5 disclose a wireless networking device comprising an antenna 30/40 movably coupled with the chassis 28, wherein the antenna is rotatable (see arrow in figures 2-4) relative to the chassis; and a locking mechanism 47/48/49 to selectively lock (in the retracted state) and unlock (in the deployed state) a position of the antenna relative to the chassis (see column 4,

Art Unit: 2821

lines 55+) and wherein the chassis comprises a wireless access point (see column 3, lines 66+).

4. Claims 39-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Imura et al (5,909,653).

Imura et al in figures 1-3 disclose a method comprising adjusting an antenna 20 to a desired position, the antenna movably coupled with a chassis 10; placing a locking device 24/30 on the antenna; and positioning a cover 11 on the chassis 10, the cover engaging (via 11D) the locking device 24 to lock the antenna at the desired position and wherein the locking device 24 includes a number of locking teeth and the cover 11 includes a number of mating locking teeth 11D, and wherein positioning the cover on the chassis causes the mating locking teeth on the cover to engage a portion of the number of locking teeth of the locking device (see figure 3) and wherein placing the locking device on the antenna comprises sliding a shroud 22 over the antenna.

***Allowable Subject Matter***

5. The following is a statement of reasons for the indication of allowable subject matter: The claims are allowable over the art of record because the prior art does not teach the wireless networking device and wherein the locking mechanism locks the antenna at the desired position in response to placement of a cover on the chassis.

6. Claims 4-18 and 20-24 are allowed.

7. Claims 2 and 42-44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
8. Claim 19 will be allowed upon obviating the above listed objection.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Peng, Beard et al, Morita and Bair et al are cited as of interested and illustrated a similar structure to a wireless networking assembly.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho G. Phan whose telephone number is 571-272-1826. The examiner can normally be reached on M-F, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/759,467

Art Unit: 2821

Page 5

A handwritten signature in black ink, consisting of a stylized 'T' followed by a long horizontal stroke.

Tho G Phan  
Primary Examiner  
Art Unit 2821